

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**JAY SALYERS,**

**Plaintiff,**

**v.**

**A.J. BLOSENSKI, INC., WASTE  
CONNECTIONS, INC. AND WASTE  
CONNECTIONS US, INC.,  
Defendants.**

**CIVIL ACTION**

**NO. 23-4802**

**ORDER**

**AND NOW**, this 24th day of April, 2024, upon consideration of Defendants' Motion to Strike Class Allegations and Dismiss the Amended Complaint (ECF No. 31), Plaintiff's Response in Opposition (ECF No. 32), and Defendants' Reply (ECF No. 37), it is **HEREBY ORDERED** that Defendants' Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Defendants' Motion to Strike Class Allegations pursuant to Fed. R. Civ. P. 12(f) and 23(d)(1)(D) is **HEREBY DENIED**.
2. Defendant Waste Connections, Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction pursuant to Fed. R. Civ. P. 12(b)(2) is **HEREBY GRANTED**. Defendant Waste Connections, Inc. is **DISMISSED** for lack of personal jurisdiction.
3. Defendants' Motion to Dismiss for Failure to State a Claim pursuant to Fed. R. Civ. P. 12(b)(6) is **HEREBY GRANTED**. Accordingly:
  - a. Defendant Waste Connections U.S., Inc. is **DISMISSED** from this action.
  - b. Plaintiff's claims for fraud, negligent misrepresentation, and violation of the Pennsylvania Unfair Trade Practices and Consumer Protection Law are **DISMISSED WITHOUT PREJUDICE**.
4. Defendants' Motion to Dismiss for Lack of Subject Matter Jurisdiction is **HEREBY DENIED**. Fed. R. Civ. P. 12(b)(1).

**BY THE COURT:**

*/s/ Wendy Beetlestone*

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**WENDY BEETLESTONE, J.**